

REMARKS

Applicant respectfully requests reconsideration of the present Application. Claims 56, 61, and 63-64 have been amended herein. Care has been exercised to introduce no new matter. Claims 1-2, 7, 53, 56-61, and 63-70 are pending and are in condition for allowance.

Rejections based on 35 U.S.C. § 102(e)

Claims 56-65 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kitchin, U.S. Patent No. 7,130,904.

Regarding claim 56, Kitchin does not teach “one of said stations in said virtual BSS comprising a public access point which is a physical access point.” Kitchin discloses an access point in a WLAN according to the 802.11 standard. Kitchin also discloses that “the access point appears to the wireless subscribers or clients as multiple logical access points...[E]ach BSS may define a logical access point for a class of clients or subscribers.” However, Kitchin never discloses that a station which, would be a client or subscriber, includes a public access points. In Kitchin, clients and subscribers are different from access points. Further, Kitchin discloses logical access points whereas Applicant’s claimed invention discloses a physical access point. Therefore, Kitchin does not anticipate Applicant’s claimed invention as required by MPEP 2131. As such, Applicant respectfully requests that the rejection of claim 56 be removed.

Regarding claims 57-60, Kitchin does not teach a secure MAC service, a MAC Security Key Agreement, and a MAC Security Entity. Applicant respectfully points out that the Office fails to follow MPEP 2131 which states that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference...The identical invention must be shown in as complete detail as is

contained in the ... claim...The elements must be arranged as required by the claim.” In the Office Action, the Office failed to consider all words in judging the patentability of the claims. For example, Kitchin makes no reference to teaching a secure MAC service, a MAC Security Key Agreement, and a MAC Security Entity. Kitchin discloses that a security policy may be implemented in encryption performed in the data link control circuit. However, the security policy does not imply the teaching of a secure MAC service, a MAC Security Key Agreement, and a MAC Security Entity. Although the terms of a secure MAC service, a MAC Security Key Agreement, and a MAC Security Entity are not specifically defined in the specification, those terms are known to one of ordinary skill in the art. Therefore, Kitchin does not anticipate Applicant’s claimed invention as required by MPEP 2131. As such, Applicant respectfully requests that the rejection of claims 57-60 be removed.

Regarding claims 61 and 63-65, Kitchin does not teach a secure MAC service, a MAC Security Key Agreement, and a MAC Security Entity. The reasons traversing the rejection of claims 57-60 are applicable here. Kitchin makes no reference to teaching a secure MAC service, a MAC Security Key Agreement, and a MAC Security Entity. Therefore, Kitchin does not anticipate Applicant’s claimed invention as required by MPEP 2131. As such, Applicant respectfully requests that the rejection of claims 61 and 63-65 be removed.

Claims 66-70 were rejected under 35 U.S.C. § 102(e) as being anticipated by Halasz, U.S. Patent No. 7,194,622.

Regarding claim 66, Halasz does not teach “the frame having a source media access control (MAC) address to determine a preliminary VLAN classification when the frame carries a null virtual LAN ID.” The Office states that it interprets a “null VLAN ID” as being “not valid”. This is an incorrect interpretation as determined by MPEP 2111. In Halasz, a

VLAN ID is “not valid” if a mobile host roams to a foreign subnet in a foreign enterprise or public access network. The mobile host has a VLAN ID but this VLAN ID cannot be interpreted by the foreign enterprise or public access network. In Applicant’s claimed invention, the mobile host does not have a VLAN ID at all which is why it is termed a “null VLAN ID”. Further, U.S. Patent No. 7,188,364, which is the parent to Applicant’s claimed invention, clearly shows the use of a “null VLAN ID” in the claims and specification. In the ‘364 patent, it states in claim 1 that “if a received frame carries a null virtual LAN ID (VID) or is untagged, then using its source MAC address to determine a preliminary VLAN classification of said received frame; and if said received frame carries a VID, then using said VID as said preliminary VLAN classification instead.” The ‘364 patent clearly shows that the “null VLAN ID” indicates the absence of a VLAN ID and not the appearance of an invalid VLAN ID. Therefore, the Office is incorrect in the interpretation of “null VLAN ID”. As such, Applicant respectfully requests that the rejection of claim 66 be removed.

Further, regarding claim 66, Halasz does not teach “the new cryptographic authentication code compared with the cryptographic authentication code; the preliminary VLAN classification implemented as a final VLAN classification when the new cryptographic authentication code and the cryptographic authentication code match, wherein the frame is decrypted; and the preliminary VLAN classification not implemented as the final VLAN classification when the new cryptographic authentication code and the cryptographic authentication code do not match, wherein the frame is discarded.” Applicant respectfully points out that Halasz does not comply with the requirements of MPEP 2131. There is no specificity in Halasz where the actual elements of Applicant’s claimed invention are taught expressly or inherently. Halasz does not expressly describe the elements as required. The Office provide

general locations of information but none of the sections which the Office provides nor the full patent disclosure of Halasz disclose the features of Applicant's claimed invention as described to meet the requirements of anticipation. Therefore, Halasz does not anticipate Applicant's claimed invention as required by MPEP 2131. As such, Applicant respectfully requests that the rejection of claim 66 be removed.

For at least the above reasons, claims 67-70 depend from claim 66. Therefore, Applicant respectfully requests that the rejection of claims 67-70 be removed.

Rejections based on 35 U.S.C. § 103(a)

Claims 1-2 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kitchen, U.S. Patent No. 7,130,904 in view of Meier, U.S. Patent No. 6,847,620 and further in view of Halasz, U.S. Patent No. 7,194,622.

Regarding claims 1 and 7, Halasz does not teach "the security association includes at least two keys, one key for encryption and another key for computing an authentication code." MPEP 2143.03 states that "all the claim limitations must be taught or suggested by the prior art...All words in a claim must be considered in judging the patentability of that claim against the prior art." From the review of the reason in the Office Action, the Office did not consider all the words in the claim in judging patentability of that claim. In column 5 in Halasz, Halasz discloses using encryption states or encryption keys of a wireless link to dynamically assign a VLAN ID. However, Halasz is different from Applicant's claimed invention. Applicant's claimed invention discloses a security association that has at least two keys, one key for encryption and another key for computing authentication code. Whereas all the keys in Halasz deal with encryption, only one key in Applicant's claimed invention deals with encryption. Applicant's other key deals with computing an authentication code which is not

disclosed in Halasz. Further, computing an authentication code is not encryption. Therefore, it would not have been obvious to combine Kitchin, Meier, and Halasz as their combination do not comply with MPEP 2143.03. As such, Applicant respectfully requests that the rejection of claims 1 and 7 be removed.

For at least the above reasons, claim 2 depends from claim 1. Therefore, Applicant respectfully requests that the rejection of claim 2 be removed.

Claim 53 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kitchin, U.S. Patent No. 7,130,904 in view of Meier, U.S. Patent No. 6,847,620 and further in view of Halasz, U.S. Patent No. 7,194,622 and still further in view of Kimura, U.S. Publication No. 2001/0048744.

For at least the above reasons, claim 53 depends from claim 1. Therefore, Applicant respectfully requests that the rejection of claim 53 be removed.

CONCLUSION

For at least the reasons stated above, claims 1-2, 7, 53, 56-61, and 63-70 are now in condition for allowance. Applicant respectfully requests withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned – 816-474-6550 or lsearcy@shb.com (such communication via email is herein expressly granted) – to resolve the same. It is believed that no fee is due, however, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112.

Respectfully submitted,

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